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19 **UNITED STATES DISTRICT COURT**
20 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

21 JESSE BANERJEE,
22
23 Plaintiff,
24
25 v.
26 CHIPPENDALES USA, LLC,
27
28 Defendants.

Case No. 2:23-cv-03676-PA (PDx)
Judge: *Hon. Percy Anderson*

**DEFENDANT'S JOINT RULE 26(F)
SCHEDULING CONFERENCE
REPORT SUBMISSION**

SCHEDULING CONFERENCE

Date: July 24, 2023
Time: 10:30 a.m.

1 Counsel for defendant Chippendales USA, LLC (“Chippendales”) has no
2 choice but to again submit this Scheduling Conference Report (“Report”) only on
3 behalf of Chippendales, because Plaintiff Jesse Banerjee did not expressly consent
4 to filing a draft joint report—which included *all* of his insertions—in time to meet
5 the Court’s filing deadline.

6 The parties met and conferred on Monday, July 3, 2023, and then again on
7 Thursday, July 13, 2023, to discuss the discovery and case management plan and the
8 parties’ obligations with respect to this joint Report. The parties exchanged several
9 drafts of the Report on Friday, July 14, 2023. Plaintiff proposed including long and
10 off-topic insertions for his position on each issue, but Defendant did not propose
11 changing any of those insertions. Plaintiff however, changed language in
12 Defendant’s sections on many issues without informing Defendant he was doing so.
13 When Chippendales discovered Plaintiff’s revisions to its statements made without
14 Chippendales’ consent, Chippendales informed Plaintiff that it did not approve his
15 latest draft. *See Exhibit A* attached hereto (July 13-14, 2023 email correspondence
16 between the parties). Chippendales needed to identify each of Plaintiff’s
17 undisclosed changes to its sections and correct the language back to Chippendales’
18 version.

19 On Monday July 17, 2023, Chippendales sent Plaintiff a final draft joint
20 report that restored the original language in Chippendales’ sections and faithfully
21 reproduced Plaintiff’s insertions verbatim, in their entirety. *See Exhibit B*.
22 Chippendales asked for Plaintiff’s consent to file it as a joint report. *See Exhibit A*
23 (July 14-17, 2023 email correspondence). Despite Chippendales’ counsel’s follow-
24 up email later that afternoon, Plaintiff did not reply to give consent to a joint filing
25 of the final Report.

26 The draft joint report attached as Exhibit B reflects the last set of insertions by
27 each side for their respective sections—Chippendales’ final position on each issue,
28 as well as the most recent insertions from Plaintiff for his sections. However, absent

1 express consent from Plaintiff to this final draft, Chippendales could not file this as
2 a true joint report.

3 Accordingly, Chippendales submits that it has fulfilled its obligations in
4 compliance with the Court's June 29, 2023, order. Dkt. 26.

5
6 DATED: July 17, 2023

Respectfully submitted,

KILPATRICK TOWNSEND & STOCKTON LLP

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9 By: /s/Evan S. Nadel

EVAN S. NADEL

RITA WEEKS

MARC A. LIEBERSTEIN (*pro hac vice Granted*)

11 Attorneys for Defendant
12 Chippendales USA, LLC
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Jesse Banerjee v. Chippendales USA, LLC
Case No. 2:23-cv-03676-PA (PDx)

PROOF OF SERVICE

I am over 18 years of age and not a party to the action. I am a member of the California and New York bars and of the bar of this Court. My business address is Kilpatrick Townsend & Stockton LLP, 1801 Century Park East, Suite 2300, Los Angeles, CA 90067.

I served the document titled: **DEFENDANT'S JOINT RULE 26(F) SCHEDULING CONFERENCE REPORT SUBMISSION** on the plaintiff Jesse Banerjee, who is not registered for the CM/ECF system, as follows:

☒ On July 17, 2023, by email to Mr. Banerjee at *info@stevebanerjee.com*; and

☒ By U.S. First Class Mail. On July 17, 2023, a copy of the referenced document was placed in a sealed envelope, with postage prepaid, for collection and mailing with the U.S. Postal Service, addressed to:

Jesse Banerjee
3573 3rd Street, Suite 206
Los Angeles, CA 90020

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on July 17, 2023 in Los Angeles, California.

/s/ DONNA BOSS
Donna Boss